



**GOV. MSG. NO. 1241**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 25, 2015

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 25, 2015, the following bill was signed into law:

SB223 SD1 HD1 CD1

RELATING TO THE OFFICE OF THE PUBLIC  
GUARDIAN  
**ACT 141 (15)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

RECEIVED  
SENATE  
OFFICE OF THE PRESIDENT

'15 JUN 26 P1:38

RECEIVED  
THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

'15 JUN 26 P3:11

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# A BILL FOR AN ACT

RELATING TO THE OFFICE OF THE PUBLIC GUARDIAN.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. Section 551A-2, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) The public guardian shall serve as guardian, limited guardian, testamentary guardian, emergency guardian, or temporary substitute guardian of an incapacitated person when so appointed by the family court or by the circuit court under chapter 560. ~~[The]~~ Notwithstanding section 560:5-304, the public guardian may not file a petition for the public guardian's own appointment. Petitions for public guardianship may ~~[also]~~ be filed by any person, agency, or facility responsible for the support or care of individuals who:

(1) Are not able to understand or adequately participate in decisions concerning their care; and

(2) Have no relatives or friends willing and able to act as a guardian.

(b) The public guardian shall have the same powers and duties as a private guardian. In addition, if there is no



1 conservatorship in effect for a ward, the court may authorize  
2 the public guardian to:

3       (1) Request and obtain copies of any and all of the ward's  
4 financial information, records, and documents,  
5 including but not limited to account statements,  
6 deposit and withdrawal records, and canceled or  
7 returned checks, from any and all savings accounts,  
8 checking accounts, safe deposit box accounts,  
9 retirement or pension accounts, investment accounts,  
10 insurance accounts, annuity accounts, credit card  
11 accounts, and all other accounts held in the name of  
12 the ward; and

13       (2) Transact business or take necessary action as to the  
14 accounts in paragraph (1);

15 provided that if a conservatorship comes into effect for the  
16 ward, the public guardian shall not have and shall not exercise  
17 the powers in paragraphs (1) and (2) that have been granted to  
18 the conservator, for the duration of the conservatorship."

19       SECTION 2. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21       SECTION 3. This Act shall take effect upon its approval.

S.B. NO. 223  
S.D. 1  
H.D. 1  
C.D. 1

APPROVED this 25 day of JUN, 2015

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a large, sweeping "Y" and a long, horizontal stroke at the end.

GOVERNOR OF THE STATE OF HAWAII